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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/312,797	05/17/1999	SHIPENG LI	SAR-13076	3062
36872	7590	02/21/2006	EXAMINER	
THE LAW OFFICES OF ANDREW D. FORTNEY, PH.D., P.C. 7257 N. MAPLE AVENUE BLDG. D, SUITE 107 FRESNO, CA 93720			LEE, Y YOUNG	
			ART UNIT	PAPER NUMBER
			2613	

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 09/312,797  
Filing Date: May 17, 1999  
Appellant(s): LI, SHIPENG

**MAILED**

**FEB 17 2006**

**Technology Center 2600**

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Kin-Wah Tong  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 8/3/04 appealing from the Office action mailed 5/24/02.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

No amendment after final has been filed.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

### **(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 2, and 27-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee et al (5,748,789).

Lee et al, in Figures 3, 9-11, 16, 20, 35, and 41-43, discloses an object-based coding system that is the same apparatus and method for coding an input object mask as specified in claims 1, 2, and 27-30 of the present invention, where the input object mask has a plurality of regions (Fig. 16), the method comprising the steps of assigning at least one symbol (Fig. 35) to each of the plurality of regions; coding the assigned symbols of the input object mask contextually in accordance with neighboring regions (Fig. 38); decomposing the input object mask into a plurality of object mask layers of different spatial resolution (Figs. 16, 35); coding a base object layer of the plurality of object mask layers (i.e. sub-transformation blocks of a wavelet transform); and coding a next higher layer of the plurality of object mask layers (i.e. wavelets) in accordance with information from a lower object mask layer (i.e. macroblocks).

### **(10) Response to Argument**

Appellant asserts in the Brief that Lee et al fails to disclose the decomposing and coding steps. However, throughout the disclosure, Lee et al discloses the concept of such common coding technique used in both conventional DCT and wavelet encoding systems. In particular, Figures 16 and 35 of Lee et al illustrate the decomposition of an input object mask into a plurality of object mask layers. For examples, elements 380 and 1548 in Figures 16 and 35, respectively, illustrate one of the layers in the

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decomposition process. To code the next higher layer (e.g. 386 and 150-170 of Figures 16 and 35, respectively) of the plurality of object layers, Lee et al discloses the coding process in accordance with information from a lower object mask layer. In other words, the smaller blocks from the higher layer come from the same video information of the larger blocks in the previous, lower, layer.

Appellant also asserts Lee et al fails to disclose layers of different spatial resolution. However, although Lee et al does not particularly use the word "resolution" in describing the wavelet decomposition process, the concept of different spatial resolution is inherent in the wavelet scheme. To help the Board in better understanding of the wavelet coding technique, Examiner included the article "Wavelets for a Vision" by Stephane Mallat. Figures 1 and 2 illustrate two examples of the wavelet decomposition process wherein each layer is of different spatial resolution and is coded in accordance with information from a previous layer.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

**(12) Conclusion**

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Young Lee



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